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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|-----------------------|----------------------------------|---------------------|
| 10/674,210 | 09/29/2003 | Joseph Patrick Fannon | GP-303156 | 2520 |
| 7590 08/15/2006 LAURA C. HARGITT General Motors Corporation Legal Staff, Mail Code 482-C23-B21 P.O. Box 300 Detroit, MI 48265-3000 | | | EXAMINER CHAN, KO HUNG | |
| | | | ART UNIT 3632 | PAPER NUMBER |

DATE MAILED: 08/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/674,210

Applicant(s)

FANNON ET AL.

Examiner

Korie H. Chan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) 11 and 20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10, 11-19, and 21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

Claims 11 and 20 have been withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected specie, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on Feb. 3, 2005.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

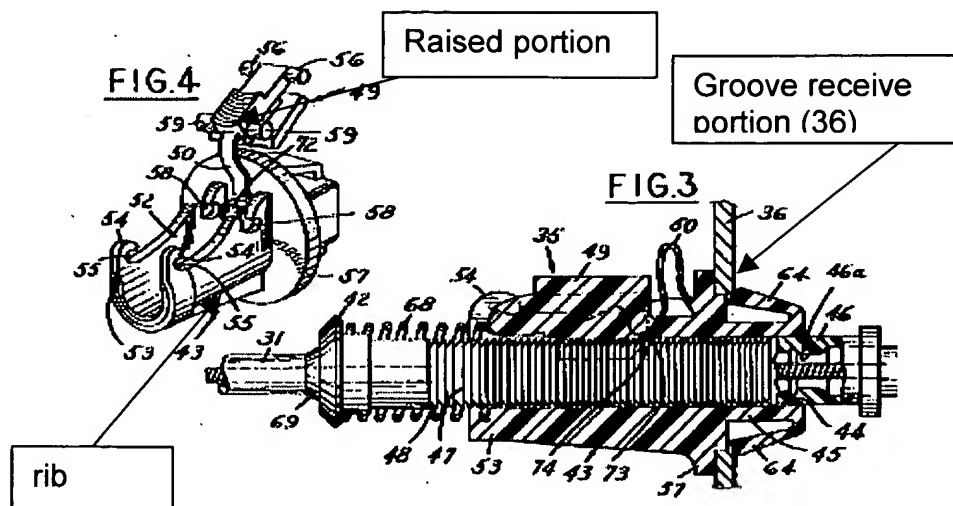
A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-10 and 12-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Lichtenberg et al (US patent no. 4,854,185). Lichtenberg discloses a cable end fitting retainer assembly for a vehicle comprising: a conduit end fitting (57, figure 4) for connection to a flexible cable (31); an end fitting retainer arm (49) extending from said conduit end fitting for retaining a portion of the flexible cable in a predetermined position; and a cable wire support (43) extending from said conduit end fitting and located beneath said end fitting retainer arm to contact the cable; regarding claim 2, a hinge (50, figure 4) interconnecting said conduit end fitting (57) and said end fitting retainer arm (49); regarding claim 3, wherein said hinge (50) is a living hinge; regarding claim 4, wherein said end fitting retainer arm (49) has a raised portion (illustration

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below); regarding claim 5, wherein said end fitting retainer arm (49) has a cavity (the the recess between teeth 51) extending into said raised portion to receive an end fitting (47) of the cable; regarding 6, wherein said conduit end fitting (57) comprises a base portion (57) and a conduit portion (45) extending from said base portion; regarding claim 7, wherein said base portion (57) has a groove (see illustration below) extending therein; regarding claim 8, wherein said conduit portion has a cavity (44) extending therein to receive a cable conduit of the cable; regarding claim 9, wherein said cable wire support (43) extends axially from said base portion; regarding claim 10, wherein said cable wire support (43) includes a strengthening rib (see illustration below) extending therealong to strengthen said cable wire support; regarding 12, wherein a conduit end fitting (57) for connection to a flexible cable; a cable end fitting (47) connected to the cable for connection to an interior release handle; an end fitting retainer arm (49) extending from said conduit end fitting for retaining said cable end fitting in a predetermined position; and a cable wire support (43) extending from said conduit end fitting and located beneath said end fitting retainer arm to contact the cable.



Claims 1, 12, and 21 are rejected under 35 U.S.C. 102(b) as being anticipated by Wirsing et al (US patent no. 5,953,963). Wirsing discloses an assembly for a vehicle comprising: a release handle (12); a latch (col. 2, lines 5-6); a flexible cable (18) interconnecting said release handle and said latch; and a cable end fitting retainer assembly (26, 28, 32, 78 assembled together) connected to said cable and said release handle comprising a conduit end fitting (84) connected to said cable, an end fitting retainer arm (88) extending from said conduit end fitting for retaining a portion of said cable in a predetermined position, and a cable wire support (26) extending from said conduit end fitting and located beneath said end fitting retainer arm (88) to contact said cable; and a cable end fitting (28).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The remaining prior art of record demonstrate various cable end fittings.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Korie H. Chan whose telephone number is 571-272-6816. The examiner can normally be reached on Monday - Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl Friedman can be reached on (571)272-6842. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Korie H. Chan
Primary Examiner
Art Unit 3632

khc
August 9, 2006